



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

October 23, 2007

FILED ELECTRONICALLY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Request for Waiver to Second Report and Order, FCC 07-132 Prohibiting Public Safety Narrowband Operations Outside of the 700 MHz Consolidated Narrowband Blocks for State of Hawaii 700 MHz System – FCC License WPTZ784.

The State of Hawaii requests a waiver in accordance with section 1.3 of the FCC Rules. The State of Hawaii has good cause to waive those portions of the Second Report and Order, FCC 07-132 that prohibit new Public Safety narrowband operations outside of the 700 MHz consolidated narrowband blocks. This waiver request is in the public interest for the people of Hawaii and as detailed meets the conditions of section 1.925 of the FCC Rules.

The State of Hawaii has a long-standing plan and contract in place to deploy thirteen single-channel conventional (non-trunked) 700 MHz repeaters in Hawaii under the State's license, WPTZ784. Four of these repeaters have been deployed at locations throughout Hawaii and another nine repeaters have been delivered to the State's contractor and are awaiting installation. Of those nine remaining repeaters, five are tuned to channels within the prohibited range. Of the four installed repeaters, only one operates within the prohibited range.

The State of Hawaii is therefore specifically requesting a waiver to allow installation of these five repeaters at the sites indicated:

| | |
|----------------------------|-------------------------------------|
| Honolulu – Aloha Stadium - | Tx 764.181250 MHz Rx 794.181250 MHz |
| Honolulu – Mauna Kapu - | Tx 764.168750 MHz Rx 794.168750 MHz |
| Honolulu – Mt. Kaala - | Tx 764.156250 MHz Rx 794.156250 MHz |
| Honolulu – Kahuku - | Tx 764.218750 MHz Rx 794.218750 MHz |
| Honolulu – Waimanalo - | Tx 764.193750 MHz Rx 794.193750 MHz |

All installations should be completed by July of 2008.

The State of Hawaii contracted with Fisher Scientific through Hawaii-based Pacific Wireless Communications late in 2006 to purchase, configure and install these Motorola brand repeaters as part of its State Law Enforcement Coalition (SLEC) 700 MHz Radio system. The purchase orders for this equipment are attached.

The State of Hawaii has purchased 200 subscriber radios that operate in the 700 MHz band and has deployed 180 of those. The additional 20 subscriber radios should be deployed before July of 2008. The State of Hawaii asks that these units be permitted to operate with the five repeaters listed above. However, these 200 subscriber radios will be reprogrammed using State of Hawaii resources, therefore the State will not be requesting any funds for subscriber unit reprogramming.

The Contact point for all State of Hawaii 700 MHz radios is: Tom Koontz; 1177 Alakea St., Room 201, Honolulu, HI 96813; 808-586-1930 ext 612; Thomas.L.Koontz@Hawaii.gov

We sincerely appreciate your acceptance and approval of this waiver to allow the State of Hawaii to continue deployment of this critical Public Safety radios system. All components of this existing contract will be installed as soon as possible. Any future contracts and installations will be in accordance with the new band plan.

Your approval of the waiver request is sincerely appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas L. Koontz', is written over the printed name.

Thomas L. Koontz
Telecommunications Planner
State of Hawaii

Attachment: State of Hawaii Purchase Orders with Fisher Scientific (9 pages)



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PURCHASE ORDER

YOUR
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PO# DR2370649

| DATE | SHIPPING TERMS | F.O.B | SHIP VIA | DATE REQ'D | VENDOR CODE | ORDER NO | PG |
|----------|----------------|-------|----------|------------|-------------|-----------|----|
| 12/19/06 | | | | | VN102739 | DR2370649 | 02 |

TO PACIFIC WIRELESS COMMUNICATION SHIP TO DPS/SLEC
710 KAKOI STREET TO 701 KAKOI ST
HONOLULU HI 96819 HONOLULU HI 96819

THIS PURCHASE ORDER IS VALID
FOR SIX MONTHS ONLY unless
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| QUANTITY | UNIT | FISHER CATALOG NO. | DESCRIPTION AND SIZE | | NET PRICE | ± SP |
|---------------------|------|--------------------|---|----------|-----------|---------|
| | | | VENDOR CATALOG NO. | QUANTITY | | |
| 1 | EA | NC9479863 | PKG3/ITEM3/TASK7C SLECPHASEIBPKG3C SHIP NO LATER THAN 12/22/06 STATE CIVIL DEFENSE | 1 EA/EA | 8735.25 | |
| ORDER TOTAL | | | | | 141086.29 | |
| **** LAST PAGE **** | | | | | | |

Without limiting the generality of the terms and conditions, Seller (1) shall promptly notify Buyer if any chemical substance constituting or contained in the products sold to Buyer hereunder is not on the Toxic Substance Control Act (TSCA) Chemical Substances Inventory, or is covered by a Significant New Use Rule or control regulation under TSCA, and (2) shall properly label the substance and provide to Buyer proper information about the substance, including a current Material Safety Data Sheet.

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PC # DR2370649

| DATE | SHIPPING TERMS | F.O.B. | SHIP VIA | DATE REQ'D | VENDOR CODE | ORDER NO. | PG |
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| 12/19/06 | | | | | VN102739 | DR2370649 | 01 |

TO PACIFIC WIRELESS COMMUNICATION SHIP TO DPS/SLEC
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HONOLULU HI 96819 HONOLULU HI 96819

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| QUANTITY | UNIT | FISHER CATALOG NO. | DESCRIPTION AND SIZE | NET PRICE | ± SF. |
|---|------|--------------------|--|-----------|----------|
| | | | VENDOR CATALOG NO. QAU WHSE. LOC | | |
| IN YOUR SYSTEM AND ON YOUR INVOICE REFERENCE FISHER PO#: DR2370649. ON PACKING SLIPS AND SHIPPING LABELS REFER TO CUSTOMER PO#: 2004HLS DPS/SLECNA WHEN SHIPPING, REFER TO RELEASE NO: 2 ATTENTION: SHAWN TSUHA CALLER: JOHN LUM MSDS MUST BE SENT WITH THIS ORDER WHERE REQUIRED BY OSHA | | | | | |
| 1 | EA | NC9479862 | PKG3/ITEM2/TASK4 ALCHA STADI SLECPHASEIBPKG3B 1 EA/EA SHIP NO LATER THAN 12/22/06 CUST: 000703 CHW STATE CIVIL DEFENSE | 132351.04 | |
| SHIP BEST WAY/PREPAY AND ADD | | | | | |
| ***** YOU MUST FAX PO RECEIPT ***** ***** TO 412-490-5657 OR EMAIL ***** ***** ELAINE.HARRIS@THERMOFISHER.COM ***** | | | | | |
| = = **IGNORE THE SHIP NO LATER THAN DATE** = = | | | | | |

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of the terms and conditions,
Seller (1) shall promptly
notify Buyer if any chemical
substance constituting or con-
tained in the products sold to
Buyer hereunder is not on the
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Inventory, or is covered by a
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control regulation under TSCA,
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substance, including a current
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VENDOR FAX-NUMBER: (503) 837-4333

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| DATE | SHIPPING TERMS | F.O.B | SHIP VIA | DATE REQ D | VENDOR CODE | ORDER NO | PG |
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| 10/24/06 | | | | | VN102739 | DR2160928 | 02 |

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710 KAKOI STREET 701 KAKOI ST
HONOLULU HI 96819 HONOLULU HI 96819

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| QUANTITY | UNIT | FISHER CATALOG NO | DESCRIPTION AND SIZE | | NET PRICE | ± SP |
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| | | | VENDOR CATALOG NO | QAU WHSE LOC | | |
| 1 | EA | NC9479865 | PKG3/ITEM5/TASK 7E SLECPHASEIBPKG3E SHIP NO LATER THAN 10/27/06 STATE CIVIL DEFENSE | 1 EA/EA | 25002.71 | |
| ORDER TOTAL | | | | | 106072.50 | |
| ***** LAST PAGE ***** | | | | | | |

Without limiting the generality of the terms and conditions Seller (1) shall promptly notify Buyer if any chemical substance constituting or contained in the products sold to Buyer hereunder is not on the Toxic Substance Control Act (TSCA) Chemical Substances Inventory or is covered by a Significant New Use Rule or control regulation under TSCA and (2) shall properly label the substance and provide to Buyer proper information about the substance, including a current Material Safety Data Sheet

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| 10/24/06 | | | | | VN102739 | DR2160928 | 01 |

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| | | | DESCRIPTION AND SIZE | | |
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| QUANTITY | UNIT | FISHER CATALOG NO | VENDOR CATALOG NO | QAU WHSE LOC. | NET PRICE |
| IN YOUR SYSTEM AND ON YOUR INVOICE REFERENCE FISHER PO#: DR2160928. ON PACKING SLIPS AND SHIPPING LABELS REFER TO CUSTOMER PO#: 2006 DPS CI HLS WHEN SHIPPING, REFER TO RELEASE NO: 2 ATTENTION: SHAWN TSUHA CALLER: SHAWN TSUHA MSDS MUST BE SENT WITH THIS ORDER WHERE REQUIRED BY OSHA | | | | | |
| 1 | EA | NC9486494 | ENVIROMENTAL PKG PKG5ENVIROMENTAL 1 EA/EA SHIP NO LATER THAN 10/27/06 CUST: 000703 CHW STATE CIVIL DEFENSE | | 50000.00 |
| 1 | EA | NC9479866 | PKG4/ITEM1/TASK2 SLECPHASEIBPKG4 1 EA/EA SHIP NO LATER THAN 10/27/06 STATE CIVIL DEFENSE | | 31069.79 |

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of the terms and conditions
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notify Buyer if any chemical
substance constituting or con-
tained in the products sold to
Buyer hereunder is not on the
Toxic Substance Control Act
(TSCA) Chemical Substances
Inventory, or is covered by a
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substance and provide to Buyer
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| | | | VENDOR CATALOG NO. QAU WHSE. LOC. | | |
| IN YOUR SYSTEM AND ON YOUR INVOICE REFERENCE FISHER PO#: DR2120675. ON PACKING SLIPS AND SHIPPING LABELS REFER TO CUSTOMER PO#: 2004 DPS CI LE WHEN SHIPPING, REFER TO RELEASE NO: 2 ATTENTION: SHAWN TSUHA CALLER: SHAWN TSUHA MSDS MUST BE SENT WITH THIS ORDER WHERE REQUIRED BY OSHA | | | | | |
| 1 | EA | NC9479847 | PKG1/ITEM1/TASK1 SLECPHASEIBPKG1A 1 EA/EA SHIP NO LATER THAN 10/17/06 CUST: 000703 CHW STATE CIVIL DEFENSE | | |
| 1 | EA | NC9479853 | PKG1/ITEM6/TASK4 WCC SLECPHASEIBPKG1G 1 EA/EA SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | | |
| ORDER TOTAL | | | | 132433.55 | |
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| 10/12/06 | | | | | VN102739 | DR2120676 | 01 |

TO **PACIFIC WIRELESS COMMUNICATION** SHIP TO **DPS/SLEC**
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| | | | VENDOR CATALOG NO. QAU WHSE LOC. | | |
| IN YOUR SYSTEM AND ON YOUR INVOICE REFERENCE FISHER PO#: DR2120676. ON PACKING SLIPS AND SHIPPING LABELS REFER TO CUSTOMER PO#: [REDACTED] DPS CI HLS WHEN SHIPPING, REFER TO RELEASE NO: 2 ATTENTION: SHAWN TSUHA CALLER: SHAWN TSUHA MSDS MUST BE SENT WITH THIS ORDER WHERE REQUIRED BY OSHA | | | | | |
| 1 | EA | NC9479848 | PKG1/ITEM2B/TASK3A SLECPHASEIBPKG1B 1 EA/EA SHIP NO LATER THAN 10/17/06 CUST: 000703 CHW STATE CIVIL DEFENSE | [REDACTED] | |
| 1 | EA | NC9479849 | PKG1/ITEM2B/TASK3B SLECPHASEIBPKG1C 1 EA/EA SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | [REDACTED] | |

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| | | | VENDOR CATALOG NO. | QAU | WHSE. LOC. | | |
| 1 | EA | NC9479850 | PKG1/ITEM3/TASK7A SLECPHASEIBPKG1D SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | 1 EA/EA | | | |
| 1 | EA | NC9479851 | PKG1/ITEM4/TASK4 MT KAALA SLECPHASEIBPKG1E SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | 1 EA/EA | | | |
| 1 | EA | NC9479852 | PKG1/ITEM5/TASK4 KOKO HEAD SLECPHASEIBPKG1F SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | 1 EA/EA | | | |
| 1 | EA | NC9479854 | PKG1/ITEM7/TASK4 WAIMANALO SLECPHASEIBPKG1H SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | 1 EA/EA | | | |

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| | | | VENDOR CATALOG NO. | QAU WHSE. LOC. | | |
| 1 | EA | NC9479855 | PKG1/ITEM8/TASK7B SLECPHASEIBPKG1I SHIP NO LATER THAN 10/17/06 STATE CIVIL DEFENSE | 1 EA/EA | | |
| **** LAST PAGE **** | | | | | ORDER TOTAL 546288.04 | |

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| | | | VENDOR CATALOG NO. | QAU WHSE. LOC. | | |
| 1 | EA | NC9479858 | PKG2/ITEM3/TASK4 | PUU MANU 1 EA/EA | 100596.05 | |
| | | | SLECPHASEIBPKG2C | | | |
| | | | SHIP NO LATER THAN | 10/17/06 | | |
| | | | STATE CIVIL DEFENSE | | | |
| 1 | EA | NC9479859 | PKG2/ITEM4&6/TASK4 | FRU P25 1 EA/EA | 12409.65 | |
| | | | SLECPHASEIBPKG2D | | | |
| | | | SHIP NO LATER THAN | 10/17/06 | | |
| | | | STATE CIVIL DEFENSE | | | |
| 1 | EA | NC9479860 | PKG2/ITEM5/TASK6 | | 10450.15 | |
| | | | SLECPHASEIBPKG2E | 1 EA/EA | | |
| | | | SHIP NO LATER THAN | 10/17/06 | | |
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| | | | | | ORDER TOTAL | |
| | | | | | 322007.47 | |
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RESALE CERTIFICATE
NUMBERS

TOTAL

PLEASE RUSH - ITEMS NEEDED FOR
CUSTOMERS' BACK ORDERS.
& ITEMS TO BE RELEASED
AGAINST BLANKET ORDER.

VENDOR FAX-NUMBER: (808) 837-4333

REFER ALL INQUIRES CONCERNING THIS ORDER TO →

D BADIA

AUTHORIZED BUYER
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